

From: "Coffey, Scott" <CoffeySE@cdmsmith.com>
To: "Sheldrake, Sean" <sheldrake.sean@epa.gov>
"Chu, Rebecca" <Chu.Rebecca@epa.gov>
"Zhen, Davis" <Zhen.Davis@epa.gov>
"Ebright, Stephanie" <EBRIGHT.STEPHANIE@EPA.GOV>
CC: "Greazel, Andrew" <GreazelAD@cdmsmith.com>
younghs@cdmsmith.com
"Grandinetti, Cami" <Grandinetti.Cami@epa.gov>
Date: 2/15/2018 3:55:48 PM
Subject: RE: Proposed Path Forward- Review of the Bathy FSP docs deliberative
Attachments: [Bathymetry Response Check_2-15-18.xlsx](#)
[BathymetryFSP_RTC_02.14.18.pdf](#)

Sean, Davis, Becky and Stephanie:

Attached is our evaluation of their responsiveness to EPA comments on the Bathy. See legend for color coding.

While some Primary comments are yellow. Yellow indicates a need to Conditionally approve this FSP because they will not have key documents ready before they want EPA approval, which they recognized at the meeting are important.

The red is non-responsive, but there are no RED level issues in the Primary comment set. So no barn burner issues (pending they agree and comply with the conditional approvals).

The main reason for those marked RED / non-responsive is that the Pre-Group has used a general verbal statement made during the February 7, 2018 meeting that the FSPs shouldn't have descriptions of post-data collection uses, or proposed analysis/evaluation. Everyone in the room generally agreed that FSPs need to focus on describing methodology and procedures, etc. However, in their responses, they are using this verbal statement/general agreement, made casually during a meeting, to deflect responding to a comment, or a portion of a comment. In many cases they misinterpret a simple request being made in the comment.

I think there should be some ground rules agreed upon that verbal statements made during these monthly AOC meetings should not be used in responses to comments going forward because they are not fully vetted in that setting and can be taken out of context.

Let me know if you have any questions, or would like to discuss.

Scott

From: Sheldrake, Sean [mailto:sheldrake.sean@epa.gov]
Sent: Thursday, February 15, 2018 10:29 AM
To: Chu, Rebecca <Chu.Rebecca@epa.gov>; Coffey, Scott <CoffeySE@cdmsmith.com>; Gustavson, Karl <Gustavson.Karl@epa.gov>
Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GreazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>; Grandinetti, Cami <Grandinetti.Cami@epa.gov>
Subject: RE: Proposed Path Forward- Review of the Bathy FSP docs deliberative

Yes mam, will do. Just let Cami know. I'll ping Sheryl now.

Karl, you have Jim covered? If not let us know...

S

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<https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=1002155>

From: Chu, Rebecca
Sent: Thursday, February 15, 2018 10:00 AM
To: Sheldrake, Sean <sheldrake.sean@epa.gov>; Scott Coffey <coffeyse@cdmsmith.com>; Gustavson, Karl <Gustavson.Karl@epa.gov>
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Subject: RE: Proposed Path Forward- Review of the Bathy FSP docs deliberative

Sean- Do you have any concerns about the potential elevation by the Pre-RD Group if we don't meet the proposed timeline? Can you give the right folks a heads up before I call back Ken so there's no surprises if the timeline issue gets elevated?

Thanks

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Sent: Thursday, February 15, 2018 9:58 AM
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Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GreazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>; Grandinetti, Cami <Grandinetti.Cami@epa.gov>
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Becky, I m ok giving Ken the option for either choice . Thank you! S

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<https://cumulis.epa.gov/supercpad/cursites/csitinfo.cfm?id=1002155>

From: Chu, Rebecca

Sent: Thursday, February 15, 2018 9:52 AM

To: Sheldrake, Sean <sheldrake.sean@epa.gov>; Scott Coffey <coffeyse@cdmsmith.com>; Gustavson, Karl <Gustavson.Karl@epa.gov>

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Subject: Proposed Path Forward- Review of the Bathy FSP docs

Importance: High

All

First off- thank you for your time and input on this. Here's what I propose- let me know if it works Sean and/or Cami.

I will call back Ken, and let him know that CDM is preparing a review of the response to EPA comments that EPA provided to the Pre-RD group on 1-26. The outcome of that review will flag any areas where we have outstanding issues based on what we have been able to review to date (not an approval/disapproval of the response to comments). In terms of having a technical call between EPA and AECOM re: any potential outstanding issues before submitting a revised Bathy FSP- EPA won't have availability to have that call until Tuesday, 2/20. That would push out the goal timeline of having the Bathymetric FSP review performed by EPA until later that week.

The other option is that AECOM can submit the red-line strike out version of the updated Bathymetric FSP today, and CDM can provide its complete review of that and the response to EPA's comments for Tuesday AM. That will push the timeline for EPA's review/response along, although still not clear we'd be able to meet 2/20 timeline given the Holiday weekend.

And as a side note- the proposed schedule from AECOM requires several "work weekends" for EPA/CDM to meet the review timeline. Knowing that there's a limited budget for EPA's oversight- wanted to flag that for you all.

Becky

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Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GreazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>

Subject: RE: Portland Harbor Documents Attached deliberative

Hi Becky, Thanks for following up with Ken. Yeah, that s not going to work with the 2/20 deadline would like to have you and I on the phone (which means today) with Ken and cdm, Karl, etc. where I chatroom you guys where I d like to go, or this waits until Davis gets back on 2/21. I m not dialing into anything tomorrow

S

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From: Chu, Rebecca
Sent: Thursday, February 15, 2018 8:44 AM
To: Scott Coffey <coffeyse@cdmsmith.com>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>
Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GrazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>
Subject: RE: Portland Harbor Documents Attached

All

Just talked with Ken.

The Pre-RD Group believed the process was that they would submit response to EPA's comments first, and see if EPA/CDM identified any disconnect on those responses. If yes- they'd like to get together today to discuss.

Once we have that shared understanding on the response to EPA comments and any outstanding tech issues- then they'd prepare the red-line strike out version of the bathy FSP to submit tomorrow.

Timeline wise, they'd like to see a turn around by EPA on COB 2-20.

I told Ken I'd check to see 1) does this work for the team and 2) is the timeline feasible?

Technically I am off tomorrow, but I can easily log on and forward a revised FSP to CDM as needs be (or have Ken send the doc and cc' Scott?). However- since no EPA staff are around Monday- is it realistic that EPA will be able to have a doc out by Tuesday COB? Sean- not sure what the plan is with you being out re: getting this shored up.

I'm just pinch hitting here with Davis out.

Becky

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Sent: Thursday, February 15, 2018 8:11 AM

To: Chu, Rebecca <Chu.Rebecca@epa.gov>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>

Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GreazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>

Subject: RE: Portland Harbor Documents Attached

Yes please. According to their schedule, they want EPA approval on 2/20/18, which I understand is the day Davis returns.

We plan to prepare a summary table identifying adequate/non-adequate responses and a check box confirming the changes they indicated they were going to make in the FSP were made, but we ll need their redline FSP to make that confirmation.

This should allow Davis to make an informed decision on whether or not EPA can issue a Conditional Approval . I say conditional because all of their FSPs will be missing the site specific HASPs that they recognized need to be included.

Scott

From: Chu, Rebecca [<mailto:Chu.Rebecca@epa.gov>]

Sent: Thursday, February 15, 2018 7:42 AM

To: Coffey, Scott <CoffeySE@cdmsmith.com>; Sheldrake, Sean <sheldrake.sean@epa.gov>; Gustavson, Karl <Gustavson.Karl@epa.gov>

Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GreazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>

Subject: RE: Portland Harbor Documents Attached

Do you guys want me to ask for the red line strike out? Otherwise, you can wait for Davis (although Sean will be on a well-deserved break at that point).

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Cc: Zhen, Davis <Zhen.Davis@epa.gov>; Greazel, Andrew <GreazelAD@cdmsmith.com>; Young, Howard S. <younghs@cdmsmith.com>

Subject: RE: Portland Harbor Documents Attached

Thanks Becky.

We ll go through their responses to comments for the Bathy Survey and identify which ones they addressed sufficiently and others not fully addressed.

Based on a quick skim of their responses I see they are abusing the statement/agreement made during our meeting last week that post data collection analysis/use should not be described in the FSPs.

I'm finding their application of this statement is not applicable to some of the comments.

Also, I don't see the updated Bathy FSP redline, which was promised to accompany the response document.

Scott

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Cc: Zhen, Davis <Zhen.Davis@epa.gov>
Subject: Fw: Portland Harbor Documents Attached

All

Davis is out through Tuesday. Passing along these documents.

Becky

From: Tyrrell, Ken <ken.tyrrell@aecom.com>
Sent: Wednesday, February 14, 2018 5:13 PM
To: Zhen, Davis; Chu, Rebecca
Subject: Portland Harbor Documents Attached

Davis and Becky,

Attached are the following documents that pertain to the Portland Harbor Superfund Site:

Bathymetry FSP: response to comments
Monthly Progress Report (MPR)
Meeting Notes from Feb 7

I'll give Davis a call in the morning to discuss next steps for the Bathy FSP. Our goal is obtain final approval on Feb 20 (or before).

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